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Keil & Weinkauff
1101 Connecticut Avenue, NW
Washington, DC 20036

In re Application of :
HEGER, Robert et al. :
Application No.: 09/857,480 :
PCT No.: PCT/EP99/09545 :
Int. Filing Date: 07 December 1999 :
Priority Date: 08 December 1998 :
Attorney's Docket No.: 49619 :
For: NANOPARTICULATE CORE-SHELL :
SYSTEMS AND THE USE THEREOF :
IN PHARMACEUTICAL AND :
COSMETIC PREPARATIONS :

COMMUNICATION

This communication is in response to applicants' "Response to Notification of a Defective Response," filed on 13 August 2002.

BACKGROUND

On 07 December 1999, applicants filed international application PCT/EP99/09545, which claimed a priority date of 08 December 1998. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 15 June 2000.

On 05 June 2001, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 02 August 2001, the Office mailed a "Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office," (Form PCT/DO/EO/905) noting, *inter alia*, that the current translation was defective for the reasons stated on the attached Notice of Defective Response and that a translation and the processing fee for late furnishing of the translation were required. The Notice of Defective Translation (Form PCT/DO/EO/913) indicated that the text in the drawings was not properly translated. Additionally, the Office mailed Notification To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (Form PCT/DO/EO/920).

On 05 October 2001, applicants submitted the instant Response, accompanied by a drawing.

On 24 May 2002, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating the application went abandoned for failure to timely respond to the Notification of Missing Requirements.

On 02 August 2002, the Office mailed a Notification of a Defective Response.

On 13 August 2002, applicants filed the instant response.

DISCUSSION

The translation of Fig. 1 is acceptable.

CONCLUSION

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including accordation of a 35 U.S.C. §371 date of **13 August 2002**.



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